

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DELPHINE ALLEN, et al.,

Plaintiffs,

v.

CITY OF OAKLAND, et al.,

Defendants.

Case No. 00-cv-04599-TEH

**ORDER REQUIRING REPORT RE:  
COURT INVESTIGATOR'S  
JUNE 21, 2017 REPORT AND  
ORDER SETTING STATUS  
CONFERENCE**

At the July 10, 2017 status conference, the City of Oakland explained that it shared the Court's concerns about the Court Investigator's June 21, 2017 report on the City's response to allegations of officer sexual misconduct. Among other representations, counsel for the City stated that, in addition to implementing all of the Court Investigator's recommendations, the City would undertake its own "probing analysis" of the failings identified in the report and use this "critical incident review" as an opportunity to create necessary cultural change. The City further invited monitoring of their response to the Court Investigator's report. As indicated at the hearing, the Court agrees that additional reporting and monitoring is warranted. Accordingly, IT IS HEREBY ORDERED that:

1. On or before **September 15, 2017**, the City shall file a report detailing its response to the Court Investigator's June 21, 2017 report. This report must include the status of the implementation of the Court Investigator's recommendations, as well as any other policy, procedural, or other changes the City finds appropriate following its own review. For any changes not yet fully implemented, the City shall include a timeline for implementation, as well as a list of responsible persons who may, if warranted, be subject to contempt proceedings or other sanctions for any missed deadlines. As previously ordered, confidential personnel information may be filed under seal, with a redacted version of the report filed in the public record.

1           2.       The City shall fully involve the Compliance Director in conducting its  
2 review and preparing its report. The Court Investigator may assist the Compliance  
3 Director as needed.


4           3.       The Monitor shall monitor the City's compliance with the Court  
5 Investigator's recommendations and other appropriate actions in response to this order.

6           4.       The parties shall appear for a status conference on **October 2, 2017, at**  
7 **3:00 PM**, before the Honorable William H. Orrick. They shall file a joint status  
8 conference statement on or before **September 25, 2017**.

9           As the Court stated at the status conference, Defendants continue to say many of the  
10 right things. However, as Plaintiffs' counsel correctly observed, and as the Court itself  
11 indicated, good intentions are not enough. Now, more than ever, is the time for action and  
12 not just words. The Court would ordinarily reiterate that it remains fully prepared to use  
13 its powers to the extent necessary to ensure that Defendants finally achieve sustainable  
14 compliance, but the Court must instead leave this case to another judge. The Court has full  
15 confidence that Judge Orrick will guide this case to an appropriate resolution.

16  
17 **IT IS SO ORDERED.**

18  
19 Dated: 07/12/17

  
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THELTON E. HENDERSON  
United States District Judge